

1 ARIEL STERN, ESQ.
2 Nevada Bar No. 8276
3 MELANIE D. MORGAN, ESQ.
4 Nevada Bar No. 8215
5 **AKERMAN LLP**
6 1635 Village Center Circle, Suite 200
7 Las Vegas, NV 89134
8 Telephone: (702) 634-5000
9 Facsimile: (702) 380-8572
10 Email: ariel.stern@akerman.com
11 Email: melanie.morgan@akerman.com

12 *Attorneys for NewRez LLC d/b/a
13 Shellpoint Mortgage Servicing*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 SPEKULATION ORPHAN RELIEF TRUST, a
17 Nevada trust,

18 Case No.: 2:23-cv-00014-JAD-BNW

19 Plaintiff,

20 v.

21 NEWREZ LLC d/b/a SHELLPOINT
22 MORTGAGE SERVICING; a Delaware limited
23 liability company; DOES I through X; and ROE
24 BUSINESS ENTITIES I through X, inclusive,

25 **STIPULATION AND ORDER TO
STAY DISCOVERY PENDING THE
OUTCOME OF SHELLPOINT'S
MOTION TO DISMISS [ECF NO. 6]
(FIRST REQUEST)**

26 Defendants.

27 Plaintiff Spekulation Orphan Relief Trust and Defendant NewRez LLC d/b/a Shellpoint
28 Mortgage Servicing, by and through their undersigned counsel, jointly request a stay of discovery
pending a ruling on Shellpoint's Motion to Dismiss the Amended Complaint, Dissolve Preliminary
Injunction, and Expunge Lis Pendens (ECF Nos. 6, 7 & 8). This is the first request to stay
discovery, and the parties respectfully submit that good cause supports the request, as a stay would
be in the interest of judicial economy and would not be prejudicial.

29 Shellpoint's Motion has been fully briefed since March 24, 2023 (ECF No. 8) and, if granted,
30 is dispositive of all claims in this action. Counsel held an FRCP 26(f) conference on April 18, 2023,
31 and submitted a proposed Stipulated Discovery Plan and Scheduling Order on May 8, 2023. (ECF

1 Nos. 30 & 31). The Court signed the Stipulated Discovery Plan and Scheduling Order on May 9,
 2 2023. (ECR No. 32). Counsel have since conferred about a stay of discovery pending a ruling on
 3 Shellpoint's Motion to Dismiss. Counsel agree the threshold for a stay has been met and judicial
 4 economy would best be served with a stay of discovery pending the outcome of Shellpoint's Motion
 5 to Dismiss.

6 This stipulation is made in good faith and will not prejudice either party. The parties agree
 7 that the minimal burden of a stay, if any, is outweighed by the benefit of avoiding costly discovery
 8 that would be mooted by an order granting the Motion to Dismiss. If the Motion is denied, the
 9 parties stipulate and agree to file a proposed Amended Stipulated Discovery Plan and Scheduling
 10 Order within 14 days of the Court's order.

11 DATED this 1st day of June, 2023.

12	AKERMAN LLP	HONG & HONG LAW OFFICE
13	<p>/s/ <i>Melanie D. Morgan</i> ARIEL STERN, ESQ. Nevada Bar No. 8276 MELANIE D. MORGAN, ESQ. Nevada Bar No. 8215 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134</p> <p>14 <i>Attorneys for NewRez LLC d/b/a</i> <i>Shellpoint Mortgage Servicing</i></p>	<p>/s/ <i>Joseph Y. Hong</i> JOSEPH Y. HONG, ESQ. Nevada Bar No. 5995 1980 Festival Plaza Drive, Suite 650 Las Vegas, NV 89135</p> <p>15 <i>Attorney for Spekulation Orphan Relief Trust</i></p>

20

21 **ORDER**

22

23 **IT IS SO ORDERED.**

24 

25 **UNITED STATES MAGISTRATE JUDGE**
 Case No.: 2:23-cv-00014-JAD-BNW

26 DATED: June 2, 2023